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5
6 Attorney for Defendant Chatmeter Inc.

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8   UNITED STATES BANKRUPTCY COURT

9   SOUTHERN DISTRICT OF NEW YORK

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12 | | **Case No.: 18-23538-shl**

13 | In re SEARS HOLDING |
   | CORPORATION, et al. [1]. | **Chapter 7**
14 | |
   | Debtors. | **Hon. Sean H. Lane**
15 | |
   | | **MOTION TO WITHDRAW AJAY GUPTA,**
16 | | **ESQ. AS ATTORNEY OF RECORD AND BE**
   | | **REMOVED FROM ECF FILING**
17 | | **NOTIFICATIONS**

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19 ─────────────────────────────

[1] The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification
20 number, are as follows: Sears Holdings Corporation (0798); Kmart Holding Corporation (3116); Kmart Operations
    LLC (6546); Sears Operations LLC (4331); Sears, Roebuck and Co. (0680); ServiceLive Inc. (6774); SHC Licensed
21 Business LLC (3718); A&E Factory Service, LLC (6695); A&E Home Delivery, LLC (0205); A&E Lawn & Garden,
    LLC (5028); A&E Signature Service, LLC (0204); FBA Holdings Inc. (6537); Innovel Solutions, Inc. (7180); Kmart
22 Corporation (9500); MaxServ, Inc. (7626); Private Brands, Ltd. (4022); Sears Development Co. (6028); Sears
    Holdings Management Corporation (2148); Sears Home & Business Franchises, Inc. (6742); Sears Home
23 Improvement Products, Inc. (8591); Sears Insurance Services, L.L.C. (7182); Sears Procurement Services, Inc. (2859);
    Sears Protection Company (1250); Sears Protection Company (PR) Inc. (4861); Sears Roebuck Acceptance Corp.
24 (0535); Sears, Roebuck de Puerto Rico, Inc. (3626); SYW Relay LLC (1870); Wally Labs LLC (None); SHC
    Promotions LLC (9626); Big Beaver of Florida Development, LLC (None); California Builder Appliances, Inc.
25 (6327); Florida Builder Appliances, Inc. (9133); KBL Holding Inc. (1295); KLC, Inc. (0839); Kmart of Michigan, Inc.
    (1696); Kmart of Washington LLC (8898); Kmart Stores of Illinois LLC (8897); Kmart Stores of Texas LLC (8915);
26 MyGofer LLC (5531); Sears Brands Business Unit Corporation (4658); Sears Holdings Publishing Company, LLC.
    (5554); Sears Protection Company (Florida), L.L.C. (4239); SHC Desert Springs, LLC (None); SOE, Inc. (9616);
27 StarWest, LLC (5379); STI Merchandising, Inc. (0188); Troy Coolidge No. 13, LLC (None); BlueLight.com, Inc.
    (7034); Sears Brands, L.L.C. (4664); Sears Buying Services, Inc. (6533); Kmart.com LLC (9022); Sears Brands
28 Management Corporation (5365); and SRe Holding Corporation (4816). The location of the Debtors' corporate
    headquarters is 3333 Beverly Road, Hoffman Estates, Illinois 60179.

    MOTION TO WITHDRAW AS ATTORNEY AND BE REMOVED FROM ECF FILING NOTIFICAITONS

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3   Ajay Gupta, Esq. ("Counsel"), hereby moves (the "Motion") the Court, pursuant to Rule

4   2090-1(e) of the Local Rules of Bankruptcy Procedure of the United States Bankruptcy Court for

5   the Southern District of New York, to enter an order permitting Counsel to withdraw as counsel

     of record for Chatmeter, Inc. ("Chatmeter") and in support thereto represents as follows:

6   1. Pursuant to a separately memorialized settlement agreement between the Debtors and

7   Chatmeter, there are no longer any issues pending in these bankruptcy cases

8   concerning Chatmeter.

9   2. Chatmeter has consented to Counsel's withdrawal of his appearance in these

10   bankruptcy cases. Chatmeter has also been served with a copy of this motion.

11   WHEREFORE, it is respectfully requested that the Court authorize the withdrawal of

12   Counsel from the above-captioned Cases and instruct the Clerk of the Court to remove Counsel

13   from any applicable notice and service lists. A proposed order is attached hereto as Exhibit A.

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15   Dated: December 16, 2022   **GUPTA EVANS AND AYRES, PC**

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17   /s/ Ajay Gupta, Esq.

18   Ajay Gupta, Esq.
                              Attorneys for Defendant Chatmeter, Inc.

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MOTION TO WITHDRAW AS ATTORNEY AND BE REMOVED FROM ECF FILING NOTIFICAITONS

PROOF OF SERVICE

I am over the age of eighteen years and not a party to the within action. I am employed by Gupta Evans and Ayres, PC, whose business address is: 1620 5th Ave, Suite 650, San Diego, CA 92101.

On December 19, 2022, I served the within document(s)on the interested parties in this action:

1. MOTION TO WITHDRAW AJAY GUPTA, ESQ. AS ATTORNEY OF RECORD AND BE REMOVED FROM ECF FILING NOTIFICATIONS

2. [PROPOSED] ORDER GRANTING MOTION OF WITHDRAWAL OF AJAY GUPTA AS ATTORNEY OF RECORD

_____**BY FIRST CLASS MAIL:** I placed a true copy in a sealed envelope addressed as indicated above. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

_____**BY CERTIFIED MAIL:** I placed a true copy in a sealed envelope addressed as indicated above via certified mail, return receipt requested. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

___X___**BY EMAIL:** I caused such documents described herein to be sent to the following interested parties, at the following e-mail addresses, listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

___X___**BY CM/ECF:** The NEF that is automatically generated by the Court's Electronic Filing System constitutes service of the filed document(s) on registered users. All parties who are not registered, if any, were served in the manner set forth above.

- **US TRUSTEE**
  Office of the US Trustee
  c/o Richard C. Morrissey
  Email: Richard.morrissey@usdoj.gov

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(Federal) I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

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Executed this December 19, 2022

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_____/s/ Michael Covington_____

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Michael Covington
Gupta Evans & Ayres, PC

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PROOF OF SERVICE

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